

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 62325

Remigio Limbo  
Nancy Limbo  
8125 Dotty Road  
Baltimore, MD 21237

5319 Litany Lane

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on July 7, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 428B, vehicle allowed for 15 days per calendar year then must be tagged, placed inside an enclosed garage or removed; Baltimore County Code 9BCC) section 13-7-401, failure to cut and maintain all tall grass and weeds to a height of 32 inches or less on residential property known as 5319 Litany Lane, 21237.

On June 24, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Dan O'Neill issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$6,000.00 (six thousand dollars).

The following persons appeared for the Hearing and testified: Remigio Limbo, Respondent and, Dan O'Neill, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 8, 2009 for removal of untagged or inoperative motor vehicles, removal of trash and debris, proper storage of garbage in cans with tight lids, and cutting tall grass and weeds. This Citation was issued on June 24, 2009.

B. Inspector O'Neill testified that re-inspection July 6, 2009 found one of the untagged vehicles remaining, and an overflowing garbage can. Photographs in the file show a dark Mercedes sedan without tags, and a garbage can full of bagged garbage with no lid.

C. Respondent Remigio Limbo testified that he contacted the tenants immediately upon receiving the County's notices, to seek compliance. He further testified that the tenants were three months in arrears on their rent, and that he has been pursuing eviction proceedings. The eviction is scheduled for July 9, 2009. Respondent further testified that all violations will be corrected as soon as the eviction is completed and he has full access to the property.

D. Because compliance is the goal of code enforcement, and Respondent is making significant efforts to correct the violations, additional time will be provided for compliance.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by July 20, 2009. If the Respondent fails to correct the violations, the civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 8<sup>th</sup> day of July 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.